

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
**15827 (PC25075A)**

In Re Application Of: **David Scott McVey**

MAR 08 2004

Serial No.

107714,679

Filing Date

November 14, 2003

Examiner

Unassigned

Group Art Unit

Unassigned

Title: **USE OF A RMLT AS A MARKER ANTIGEN FOR VACCINES AND AS A SYNERGISTIC  
ADJUVANT WITH AMPHIGEN**

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
15827 (PC25075A)

In Re Application: David Scott McVey

Serial No.

10/714,679

Filing Date

November 14, 2003

Examiner

Unassigned

Group Art Unit

Unassigned

**USE OF A RMLT AS A MARKER ANTIGEN FOR VACCINES AND AS A SYNERGISTIC  
ADJUVANT WITH AMPHIGEN****Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP**  
as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F:	
_____ (Date)	_____ Signature
_____ Typed or Printed Name of Person Signing Certificate	

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on <b>March 4, 2004</b> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
_____ Signature of Person Mailing Correspondence	
Peter I. Bernstein	
_____ Typed or Printed Name of Person Mailing Certificate	

\*This certificate may only be used if paying by deposit account.

\_\_\_\_\_  
Signature

Dated: **March 4, 2004**

Peter I. Bernstein  
SCULLY, SCOTT, MURPHY & PRESSER  
400 Garden City Plaza  
Garden City, NY 11530  
(516) 742-4343

PIB:ahs/dg

CC:



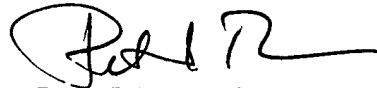
4. Stephen Harford, et al., "Inactivation of the *Escherichia coli* Heat-Labile Enterotoxin by *in vitro* Mutagenesis of the A-subunit Gene", Eur. J. Biochem, 183:311-316 (1989);
5. Takao Tsuji, et al., "A Single Amino Acid Substitution in the A Subunit of *Escherichia coli* Enterotoxin Results in a Loss of Its Toxic Activity", The Journal of Biological Chemistry, 265(36):22520-22525 (1990);
6. United States Patent No. 6,019,982, dated February 1, 2000, issued to Clements, et al.;
7. United States Patent No. 6,033,673, dated March 7, 2000, issued to Clements;
8. United States Patent No. 6,149,919, dated November 21, 2000, issued to Domenighini, et al.;
9. United States Patent No. 5,182,109, dated January 26, 1993, issued to Tamura, et al.;
10. John D. Clement, et al., "Adjuvant Activity of *Escherichia coli* Heat-labile Enterotoxin and Effect on the Induction of Oral Tolerance in Mice to Unrelated Protein Antigens", Vaccine, 6:269-277 (1988); and
11. American Society of Microbiology, "Abstracts of the Annual Meeting", May 1988.

Applicant is submitting copies of the above-cited references.

Consideration of this Information Disclosure Statement is respectfully requested, since the art provided may be material to the examination of the present application as defined under 37 C.F.R. §1.56.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter I. Bernstein", with a stylized flourish at the end.

Peter I. Bernstein  
Registration No. 43,497

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

PIB:ahs/dg



**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

MAR 08 2004

ATTY DOCKET NO.  
**15827 (PC25075A)**SERIAL NO.  
**10/714,679****David Scott McVey**FILING  
**Nov. 14, 2003**GROUP  
**Unknown****U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

			<u>American Society of Microbiology, "Abstracts of the Annual Meeting", May 1988</u>

**EXAMINER****DATE CONSIDERED**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.